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Attorneys for Timothy L. Blixseth

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BUTTE DIVISION

YELLOWSTONE MOUNTAIN CLUB, LLC, et al., Debtors.) Case No. CU-09-27-BU-RFC) TIMOTHY L. BLIXSETH'S MOTION) TO WITHDRAW THE REFERENCE))
Michael Snow, Greg C. Branch, A.C. and Linda Markkula (Trustees of the Arlin Trust), Spano Yellowstone Holdings Limited Partnership, Robert P. and Katharine M. Watson, Bankers Financial Corporation and Mountain Vista Properties AG,) Adv. Pro. No. 09-00018) Bankruptcy Case No. 08-61570-11-RBK)
Plaintiffs,))
Vs.))
BLX Group, Inc., f/k/a/ Blixseth Group, Inc., Timothy L. Blixseth, Edra D. Blixseth, John Does 1–15, and ABC Companies 1-15.))))
Defendants.)

Comes now Adversary Defendant TIMOTHY L. BLIXSETH ("Mr. Blixseth"), respectfully moves the Court to withdraw the reference of this adversary action to the Bankruptcy Court pursuant to 28 U.S.C. § 157, Rule 5011 of the Federal Rules of Bankruptcy Procedure, and Rule 5011-1 of the Montana Local Bankruptcy Rules.

Pursuant to Montana Local Bankruptcy Rule 5011-1 a copy of this Motion and Supporting Memorandum have been filed with the Clerk of Bankruptcy Court along with the designation of record mandated by Montana Local Bankruptcy Rule 5011-1(c).

Notice and Disclaimer

Mr. Blixseth notes that a Co-Adversary Defendant, Edra Blixseth ("Ms. Blixseth") has recently filed a Petition under Chapter 11 of the Bankruptcy Code and claims against her would be subject to the automatic stay. Mr. Blixseth filed a Motion to Dismiss solely to protect his interests as the automatic stay does not stay this proceeding against him. Mr. Blixseth does not assert any claim against Ms. Blixseth by this Motion, but reserves all rights to assert claims against Ms. Blixseth in the future. To the best of Mr. Blixseth's knowledge, the other Co-Adversary Defendant, BLX Group, Inc., f/k/a Blixseth Group, Inc. ("BGI"), has not filed a Petition in bankruptcy.

Mr. Blixseth filed a Motion to Modify the Stay in Ms. Blixseth's bankruptcy for leave to proceed further with this Motion and his Motion to Withdraw the Reference in the U.S. District Court.

DATED this 6th day of April , 2009.

Guthals, Hunnes & Reuss, P.C.

P.O. Box 1977

Billings, MT 59103-1977

By: Secretal

Attorneys for Timothy L. Blixseth

Notice of Requirement for Responding to Motion

Rule 7.1(d)(1)(B), Mont.L.R. Any party that opposes a motion must file a response brief. Responses to motions to dismiss, for judgment on the pleadings, or for summary judgment must be filed within twenty (20) days after service of the brief in support. Responses to all other motions must be filed within eleven (11) days after service of the brief in support.

DATED this 6th of April, 2009.

GUTHALS, HUNNES & REUSS, P.C.

By: Joel E. Guthals

Attorneys for Timothy L. Blixseth

CERTIFICATE OF SERVICE

I hereby certify that, on April 6, 2009, a copy of the foregoing document was served on the following persons by the following means:

- __1__ CM/ECF
 ____ Hand Delivery
 __2, 3__ Mail
 ____ Overnight Delivery Service
 ___ Fax
 __2, 3__ E-Mail
 - 1. Clerk, U.S. District Court
 - 2. Joseph W. Anthony (MN # 2872)
 Mary L. Knoblauch (MN # 159645)
 Anthony Ostlund Bear & Louwagie, P.A.
 3600 Wells Fargo Center
 90 South Seventh Street
 Minneapolis, MN 55402
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 - 3. Ronald A. Bender (MT # 106)
 Matthew J. Cuffe (MT # 4448)
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